

**Before the State of South Carolina  
Department of Insurance**

In the Matter of:

SCDOI File Number 2003-119206

Patricia H. Huggins  
Post Office Box 941  
Johnsonville, South Carolina 29555

**Consent Order  
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Ms. Patricia H. Huggins, an insurance producer licensed to transact business in the State of South Carolina.

Upon review of this matter, I hereby find as fact that Patricia Huggins did fail to return unearned premiums to Prime Rate Premium Finance Corporation, for an approximate amount of \$16,288.16. Ms. Huggins acknowledges this and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law. Moreover, Ms. Huggins alleges that this was a balance owed to the complainant by the insurance agent who recently sold the business to her. Nevertheless, these actions can ultimately lead to the revocation of her license to transact the business of insurance as an agent in South Carolina, following a public hearing at the Administrative Law Judge Division, pursuant to S.C. Code Ann. § 38-43-130 (Supp. 2002).

Prior to the initiation of any administrative proceedings by the Department against Patricia Huggins, the parties agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that, in lieu of the Department seeking to revoke Ms. Huggins' certificate of authority, she would waive her right to a public hearing and immediately pay an administrative fine in the total amount of \$1,500.00.

After a thorough review of the record, carefully considering the recommendation of the parties, and pursuant to my findings of fact, I hereby conclude as a matter of law, that Patricia H. Huggins has violated § 38-43-130 (Supp. 2002). Although I can now revoke the insurer's certificate of authority, I hereby invoke the discretionary authority provided to me by the General Assembly within S.C. Code Ann. § 38-2-10 (2) (Supp. 2002) and impose against Ms. Huggins an administrative fine in the total amount of \$1,500.00. That fine must be paid within ten days of the date of my signature upon this Consent Order. If that total fine amount is not timely paid, the insurer's certificate of authority will be revoked without any further disciplinary proceedings.

This administrative penalty has been reached by the parties as a result of negotiation and compromise, and it is made in consideration of Ms. Huggins' assurance that she will fully comply with the Insurance Laws of South Carolina in the future.



This penalty includes all expenses related to investigation of this matter as provided in § 38-13-70 of the South Carolina Code. The parties expressly agree and understand payment of the agreed-upon penalty constitutes full accord and satisfaction of this matter. By her signature upon this consent order, Patricia H. Huggins acknowledges this administrative order as a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2002).

Nothing contained within this administrative order should be construed to limit, or to deprive any person of any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (4) (Supp. 2002) of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that Patricia H. Huggins shall, within ten days of the date of my signature on this consent order, pay through the South Carolina Department of Insurance an administrative fine in the total amount of \$1,500.00.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states.

This consent order becomes effective as of the date of my signature below.

A handwritten signature in black ink, appearing to read "E.N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar  
Director

November 18, 2003  
Columbia, South Carolina



I CONSENT:

Patricia H. Huggins  
Signature

Patricia H. Huggins  
Printed Name

Owner / Agent  
Title

Patricia H. Huggins, d/b/a, Moore & Associates  
Post Office Box 941  
Johnsonville, South Carolina 29555

Dated this 17<sup>th</sup> day of November, 2003.